

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

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MICHAEL KAUFFMAN,

Plaintiff,

v.

U-HAUL INTERNATIONAL, INC.;  
COLLEGEBOXES, LLC; and eMOVE, INC.,

Defendants.

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No. 5:16-cv-04580

**ORDER**

**AND NOW**, this 27<sup>th</sup> day of August, 2018, upon consideration of Defendants' Motion to Compel Arbitration and Dismiss Plaintiff's Complaint, ECF No. 5, and for the reasons set forth in the Opinion issued this date, it is **ORDERED** that:

1. The Clerk of Court shall **REMOVE** this case from Civil Suspense Docket and **RETURN** it to the active docket;
2. Defendants' Motion, ECF No. 5, is **GRANTED** in part;
3. The parties are **DIRECTED** to submit the dispute to binding arbitration pursuant to the terms of the eMove Agreement, except that the Court severs the following provisions of the Agreement: (1) "Each party shall pay its own expenses of arbitration and the expense of the arbitrator shall be shared equally"; and (2) "Both parties agree that if a party files any Action contrary to this provision, the other party can recover reasonable attorney fees and reasonable costs resulting from those efforts necessary to challenge that filing and bring the Action back in accordance with the terms of this provision." In addition, the Court severs the provision requiring the application of the AAA Commercial Arbitration

Rules, but only insofar as those rules require Kauffman to pay arbitration fees and costs.

The Court **DIRECTS** that eMove pay Kauffman's arbitration filing fees and share of the arbitrator's fees, and that the provisions of the applicable wage and hour statutes should govern the award of attorney's fees;

4. This case remains **STAYED** pending the outcome of the arbitration;
5. The parties are **DIRECTED** to provide joint status reports concerning this case every sixty days.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.

JOSEPH F. LEESON, JR.

United States District Judge